

REMARKS

Claims 1-24 are currently pending in the subject application and are presently under consideration. Amendments to the specification are at page 2. Comments regarding amendments to the drawings contained in the attached Replacement Sheets are at page 3. A version of the claims is at pages 4-7. Applicant's representative notes with appreciation the indication that claims 2-6 would be allowed if recast in independent form to include all limitations of the base claim and any intervening claims. To this end, independent claim 1 has been amended to recite features previously recited in claim 2, and independent claim 8 has been amended to recite aspects previously recited in claims 2 and 3. In addition, independent claim 19 has been amended herein to incorporate aspects previously recited in claims 21 and 23. Claims 2, 21 and 23 have been cancelled, and claims 3, 4, 10, 22 and 24 have been amended to correct minor informalities.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Objection to Drawings

Figs. 3a, 3b, 5, 8 and 9 stand objected to because the Examiner asserts that the subject drawings are too dark to discern the elements thereof. In view of the Replacement Sheets submitted herewith which address the Examiner's recent objections and further correct minor informalities, this objection is believed to be moot and should be withdrawn.

II. Rejection of Claims 1, 7 and 10-20 Under 35 U.S.C. §102(b)

Claims 1, 7 and 10-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by Shepard *et al.* (US 5,130,520). Withdrawal of this rejection is respectfully requested for at least the following reasons. Shepard *et al.* fails to disclose all features of the subject claims.

A single prior art reference anticipates a patent claim only if it *expressly or inherently describes each and every limitation set forth in the patent claim*. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The *identical invention must be shown in as complete detail as is contained in the ...*

claim. Richardson v. Suzuki Motor Co., 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

The claimed invention relates to a shock isolation system that employs several stages of energy absorption for dampening external mechanical shock. As noted above, independent claim 1 has been amended herein to incorporate features that the Examiner has deemed allowable. Therefore, it is believed that independent claim 1 is in condition for allowance.

Furthermore, independent claims 1, 10 and 17-19 respectively recite ***a stiff enclosure for at least partially encapsulating a circuit board; a plurality of circuit boards mounted on a sub frame being at least partially encased by a rigid body positioned within the terminal housing; means for maintaining a planar configuration for a printed circuit board of the data terminal; enveloping means for at least partially encasing the circuit board and providing a rigid frame having mounting parts shared between circuit boards of the common and unique components, the rigid frame for maintaining a planar configuration of the circuit boards.*** Shepard *et al.* fails to teach such novel features of the subject claims.

Shepard *et al.* relates to a bar code reader that is shock resistant and resists twisting of the head portion of the reader. On page 3 of the Office Action, the Examiner incorrectly asserts that a stiff enclosure partially encapsulating a plurality of circuit boards is taught by Shepard *et al.* At the indicated portions, the reference discloses a printed circuit board 59 (PCB) with various electrical sub-circuits (55-58) mounted thereon. The Examiner contends that since the PCB (59) encapsulates the bottom surface of the sub-circuits (55-58), the reference discloses a plurality of circuit boards encased by a rigid body, as afforded by the claimed invention. Applicants' representative respectfully disagrees. As a consequence of failing to provide an encasing for the PCB (59), Shepard *et al.* fails to teach a plurality of circuit boards partially encased by a rigid body within a portable data terminal housing. As an example to further illustrate this distinction, the claimed invention provides a rigid body to house multiple PCB's with sub-circuits mounted to each of the printed circuit boards, while the cited reference is limited to merely mounting sub-circuits upon a PCB (59). As a result of not contemplating a rigid body to encase at least a portion of the PCB (59), Shepard *et al.* does not provide ***means for maintaining a planar configuration for a printed circuit board of a data terminal***, as recited in independent claim 17, and afforded by claims 1, 10, 18 and 19.

In view of the foregoing it is readily apparent that Shepard *et al.* does not teach the identical invention in as complete detail as is contained in the subject claims. Accordingly, this rejection with respect to independent claims 1, 10 and 17-19 (and the claims that depend there from) should be withdrawn.

III. Rejection of Claims 8, 9 and 21-24 Under 35 U.S.C. §103(a)

Claims 8, 9 and 21-24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Shepard *et al.* This rejection is moot and should be withdrawn in view of the incorporation of the allowable subject matter indicated by the Examiner into independent claim 8, and the deficiencies of Shepard *et al.* noted above with respect to independent claim 19 (from which claims 22 and 24 depend).

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [SYMBP155US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

AMIN & TUROCY, LLP



Himanshu S. Amin
Reg. No. 40,894

AMIN & TUROCY, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731

AMENDMENTS TO THE DRAWINGS

The enclosed drawing sheets includes changes to Figures 3a, 3b, 5, 8 and 9. These sheets replace the original sheets including Figures 3a, 3b, 4, 5, 8 and 9. In particular, the brightness of the subject Figures have been adjusted in accordance with the Examiner's recent objection. Furthermore, with respect to Figure 3a, component 34 has been re-labeled as component 33, and component 36 has been re-labeled as component 34.